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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/896,368

Filing Date 06/28/2001

First Named Inventor David M. Allen

Art Unit 1616

Examiner Name Pak, J.

Attorney Docket Number P1067

**ENCLOSURES (Check all that apply)**

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| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
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| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name TODD N. HATHAWAY

Signature

Printed name

Todd N. Hathaway

Date

18 January 2005

Reg. No.

32,991

**CERTIFICATE OF TRANSMISSION/MAILING**

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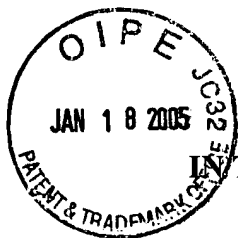
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Jan. 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: ALLEN, David M. )  
Serial No.: 09/896,368 ) Examiner: Pak, J.  
Filed: 06/28/01 ) Art Group Unit: 1616  
For: PENETRATING ANTIBIOTIC GEL ) Docket No. P1067  
FOR SOFT TISSUE DISEASES )

**AMENDMENT AFTER FINAL REJECTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
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Response Under 37 CFR 1.116 -  
Expedited Procedure - Examining  
Group 3635

**AMENDMENT AND RESPONSE**

Sir:

This is in response to an Office Action dated 17 November 2004. A response is due 18 January 2005, 17 January 2005 having fallen on a federal holiday. It is believed that no fee is presently due to maintain this application in full force and effect, but if any such fee is due, please charge this to Deposit Account No. 08-1254. Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.